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Facebook Holdings, LLC; Facebook Operations, LLC;  
Facebook Payments, Inc.; Instagram, LLC; and  
Siculus, Inc.*

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

IN RE: SOCIAL MEDIA ADOLESCENT  
ADDICTION/PERSONAL INJURY  
PRODUCTS LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

MDL No. 3047

Case No. 4:22-md-03047-YGR

Judge Yvonne Gonzalez Rogers

**META DEFENDANTS' NOTICE OF  
CONDITIONAL JOINDER IN  
DEFENDANTS  
GOOGLE/YOUTUBE AND SNAP'S  
SUPPLEMENTAL MOTION TO  
CERTIFY FOR INTERLOCUTORY  
APPEAL (Dkt. 1462)**

**NOTICE OF CONDITIONAL JOINDER IN MOTION**

PLEASE TAKE NOTICE that Defendants Meta Platforms, Inc. f/k/a Facebook, Inc.; Meta Payments Inc.; Meta Platforms Technologies, LLC f/k/a Facebook Technologies, LLC; Facebook Holdings, LLC; Facebook Operations, LLC; Facebook Payments, Inc.; Instagram, LLC; and Siculus, Inc. (collectively, “Meta”) hereby conditionally join the supplemental motion of Defendants Snap Inc., YouTube, LLC, and Google LLC (“Movants”), under 28 U.S.C. § 1292(b), for an order certifying for interlocutory review the Court’s October 15, 2024 and October 24, 2024 Orders<sup>1</sup> (the “Orders”). Dkt. 1462 (“Movants’ Motion”).

Meta filed a timely Notice of Appeal pursuant to 28 U.S.C. § 1291 and the collateral order doctrine, appealing the Orders to the extent that they denied Defendants’ motions to dismiss claims for failure to warn of alleged risks relating to certain platform features as barred by statutory immunity from suit pursuant to Section 230 of the Communications Decency Act. *See* Case No. 4:22-cv-03047 Dkt. 1330; Case No. 4:23-cv-05885 Dkt. 44; Case No. 4:23-cv-05448 Dkt. 140.

On December 10, 2025, the State Attorney General Plaintiffs moved to dismiss Meta’s appeal for lack of jurisdiction. Appeal No. 24-7019, Dkt. 20; Appeal No. 24-7032, Dkt. 36-1. On December 13, 2024, the Personal Injury and School District Plaintiffs moved to dismiss Meta’s appeal for lack of jurisdiction. Appeal No. 24-7037, Dkt. 43.

Movants’ Motion seeks certification of the Orders to determine “[w]hether Section 230 of the Communications Decency Act, 47 U.S.C. § 230, bars claims for failure to warn of an alleged design defect where the statute bars claims targeting the same underlying alleged defective design.” Dkt. 1462.

Meta maintains that the Ninth Circuit should address these issues through its appeal, which is properly before the Ninth Circuit pursuant to 28 U.S.C. § 1291 and the collateral order doctrine. Meta joins in the Movants’ Motion to certify the Orders under Section 1292(b) as an

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<sup>1</sup> Order Largely Denying in Part Meta’s Motion to Dismiss the Multistate Attorneys General Complaint But Limiting the Scope of Claims; Including the Florida Attorney General Complaint; and Personal Injury Plaintiffs’ Consumer Protection And Misrepresentation Claims (Dkt. 1214); Order Granting in Part and Denying in Part Defendants’ Motion To Dismiss the School District and Local Government Entities’ Master Complaint (Dkt. 1332).

independent basis for the Ninth Circuit to review these issues, in the event that the Ninth Circuit declines to hear Meta's appeal pursuant to the collateral order doctrine.

Dated: December 16, 2024

Respectfully submitted,

**DAVIS POLK & WARDWELL LLP**

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**ATTESTATION**

I, James P. Rouhandeh, hereby attest, pursuant to N.D. Cal. Civil L.R. 5–1, that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: December 16, 2024

By: /s/ James P. Rouhandeh  
James P. Rouhandeh